

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P802801/WO/1	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/007710	International filing date (<i>day/month/year</i>) 13.07.2004	Priority date (<i>day/month/year</i>) 17.07.2003
International Patent Classification (IPC) or national classification and IPC B62D65/00 B62D33/06		
Applicant DAIMLERCHRYSLER AG		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising: a. <input type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of _____ sheets, as follows: <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input checked="" type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-8 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 1-13 _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* _____ received by this Authority on _____
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/1 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>4, 5, 8-13</u>	YES
		Claims <u>1-3, 6, 7</u>	NO
	Inventive step (IS)	Claims _____	YES
		Claims <u>1-13</u>	NO
	Industrial applicability (IA)	Claims <u>1-13</u>	YES
		Claims _____	NO
2.	Citations and explanations (Rule 70.7)		
1.	This report makes reference to the following documents:		
D1:	EP-A-0 990 573 (DAIMLER CHRYSLER AG), 5 April 2000 (2000-04-05)		
D2:	DE 43 02 489 A (MAN NUTZFAHRZEUGE AG), 30 September 1993 (1993-09-30)		
D3:	EP-A-1 193 164 (KOMATSU UTILITY EUROP S P A), 3 April 2002 (2002-04-03)		
D4:	FR-A-2 772 334 (PEUGEOT), 18 June 1999 (1999-06-18)		
D5:	US-A-5 090 105 (DEREES DELBERT D), 25 February 1992 (1992-02-25)		
D6:	FR-A-2 839 697 (DENING), 21 November 2003 (2003-11-21)		
2.	The present application does not meet the requirements of PCT Article 33(1) because the subject matter of claims 1 and 7 is not novel (PCT Article 33(2)).		
2.1	Document D1 discloses (the references in parentheses are to that document):		

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>a driver's cab (1) for an utility vehicle, the cab having a support structure (2) on which a door (7) is mounted in a door frame (8) on each side of the vehicle,</p> <ul style="list-style-type: none">• the door frame (8) and the (door) forming a door module (6) which can be pre-installed on at least one side of the vehicle,• the support structure (2) being prepared for installing the door module (6),• and the door frame (8) being secured to the support structure (2) in its installed state (see abstract and figure). <p>The subject matter of claim 1 is therefore not novel (PCT Article 33(2)).</p> <p>2.2 Document D2 discloses (the references in parentheses are to that document):</p> <p>lines of driver's cabs with a driver's cab for a low-platform vehicle and a driver's cab for a high-platform vehicle,</p> <ul style="list-style-type: none">• the driver's cabs having structurally identical support structures (12),• at least the driver's cab of the low-platform vehicle being fitted with at least one door module (11, 40) comprising a door frame (40) secured to the support structure (12) and a vehicle door (11) fixed thereto (see column 4, line 62 - column 5, line 9; figures 22-24).

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

The subject matter of claim 7 is therefore not novel (PCT Article 33(2)).

3. Dependent claims 2-6 and 8-13 do not contain any features which, in combination with the features of any claim to which they refer, meet the PCT novelty or inventive step requirements; see documents D1, D2 and D3, and the corresponding passages indicated in the search report.

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Box No. VI

Certain documents cited

1. Certain published documents (Rule 70.10)

Application No.
Patent No.Publication date
(day/month/year)Filing date
(day/month/year)Priority date (valid claim)
(day/month/year)

2. Non-written disclosures (Rule 70.9)

Kind of non-written disclosure

Date of non-written disclosure
(day/month/year)Date of written disclosure
referring to non-written disclosure
(day/month/year)